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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,244	04/04/2005	Takahisa Hikida	01050_1003	2655

30671 7590 11/14/2007  
DITTHAVONG MORI & STEINER, P.C.  
918 Prince St.  
Alexandria, VA 22314

EXAMINER
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HUG, ERIC J

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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11/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/530,244

**Applicant(s)**

HIKIDA, TAKAHISA

**Examiner**

Eric Hug

**Art Unit**

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-9 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Schiel (US 5,711,854).

Schiel discloses a roll press for pressing a paper web, which as shown in Figure 1 includes a press roll 4 with a rotating flexible roll shell/jacket 6 and a stationary press element 7 (press shoe) arranged to form an extended nip with backing roll 8. Schiel teaches selecting and varying the dimension of the outer circumference of the shell of the press roll along the axial direction from the center of the roll to its axial ends. The variation in dimension depends on the specific use. This enables a uniform press nip to be formed with a backing roll which is not sag controlled. The variation in outer circumference of the roll shell in the axial direction can be controlled at the time of manufacture. In that construction, the inner circumference and/or the wall thickness of the shell of the press may also vary in dimension starting from the center of the roll and extending axially outward toward the ends of the roll. Figure 6 shows both the outer and inner diameters and circumferences of the press jacket increase in the axial direction from the middle to the end of the press roll while the thickness of the press jacket remains constant. See column 4, lines 5-15. This embodiment reads on the shape of the press sleeve of the present invention.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schiel (US 5,711,854).

Schiel is applied to claims 1 and 10 above.

Regarding the recited dimensions of claims 2, 3, and 11, Schiel does not explicitly disclose the amount of dimensional change in the roll shell/jacket 6 of the press roll 4. However, Schiel teaches that variations in the axial direction should be as small as possible and should take place uniformly so that the differences in circumferential speed along the axial length of the roll shell do not have a negative effect on the web. Thus, it would have been obvious to one skilled in the art to vary the dimensions of the press shell/jacket according to use. It also would have been obvious to one skilled in the art to vary the dimensions based on the size of the press rolls. Because, it is within the skill of the routineer in the art to discover an optimum value without producing any new or unexpected results, the claims are unpatentable.

Regarding claims 4, 5, 12, and 13, the claimed features are directed to well-known materials typically used in the construction of a shoe press jacket as used in the manner as disclosed by Schiel. Because these materials are conventional and well known, the claims are unpatentable.

***Allowable Subject Matter***

Claims 6-9 are allowed for reasons given previously.

***Response to Arguments***

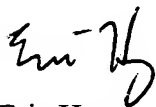
Applicant's arguments filed September 11, 2007 have been considered. In view of the arguments, the amended claims overcome the rejections set forth previously over Matuszczyk et al (DE 101 38 526), Sakuma et al (US 2002/0028317), and Hikida (WO 03/085196). A new grounds of rejection based on Schiel is set forth above.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Eric Hug  
Primary Examiner